

**KNOW-HOW TRANSFER REGARDING THE
PUBLIC POLICY PROCESS: EXPERIENCES
THAT CAN BE TAKEN AND IMPLEMENTED IN
ROMANIA**

Abstract

The first part of the article presents several approaches of the public policies process in the international and national literature. The second part focuses on the specifics of public policies process in three countries: two of them are European Union members - Spain, and Portugal - and the third is located on the American continent - Canada.

The final of the article describes the regulatory, institutional and methodological framework for developing the public policy process in Romania and the main aspects of the experience of three countries in the field of public policy process that can be taken and implemented in Romania.

Keywords: reexamination of the public policy, monitoring and evaluation system, civil society consultation, evaluation culture, public policy instruments.

JEL CODES: J18, J28, J38, J58.

**TRANSFER DE KNOW-HOW
ÎN PROCESUL POLITICILOR
PUBLICE: EXPERIENȚE
CARE POT FI PRELUATE ȘI
IMPLEMENTATE ÎN
ROMÂNIA**

Mihaela PĂCEȘILĂ

Mihaela PĂCEȘILĂ

Asist. univ. dr., Facultatea de Management,
Academia de Studii Economice din București
E-mail: pacesilamihaela@yahoo.com

Rezumat

Prima parte a articolului prezintă mai multe abordări ale procesului politicilor publice din literatura de specialitate de la nivel internațional și național. A doua parte se concentrează pe elementele specifice procesului politicilor publice în trei țări: două dintre ele sunt membre ale Uniunii Europene – Spania și Portugalia -, iar a treia este situată pe continentul american – Canada.

Finalul articolului descrie cadrul normativ, instituțional și metodologic privind dezvoltarea procesului politicilor publice în România și principalele aspecte din experiența celor trei țări în domeniu care pot fi preluate și implementate în România.

Cuvinte cheie: reexaminarea politicilor publice, sistemul de monitorizare și evaluare, consultarea societății civile, cultura evaluării, instrumentele politicilor publice.

1. PUBLIC POLICY PROCESS APPROACH IN THE INTERNATIONAL AND NATIONAL LITERATURE

The public policy process implies mechanisms and actors within a network of interrelations. In order to understand this process it is necessary to divide it in several distinct stages and sub-stages. In fact, the public policy process is the succession of these stages and sub-stages.

In practice the things are different: this process does not meet the same sequence of steps as in theory. Often the actors involved need to make repeated efforts to reach satisfactory results. In a lot of cases planning is continuous: once concluded the public policies process, finalized by the ex-post evaluation, it sets a new agenda and the process is resumed. (General Secretariat of the Romanian Government, 2006). The specialized literature of international and national level refers to several approaches of the public policies process. I shall present the most significant in order to ensure better understanding of what is happening and what not. However, these approaches are not necessarily found in all real cases, because the society is characterized by a plurality of actors, situations and problems. The model proposed by Easton (1965), namely the black box, represents an important example which is not based on stages. In this approach the key element of the process is its interrelations with the environment in which it evolves: the influences (inputs) coming through various channels (parties, mass media, groups of interests); processes inside the political system; the conversion of the inputs mentioned into results. (Miroiu, A. 2001; Păceșilă and Profiroiu, 2006; Păceșilă M., 2008).

A few years later Brewer presents another conceptualization (Brewer, 1974) describing the following stages: a) initiation of the policy; b) estimation of the alternatives; c) selection of the option; d) implementation of the policy; e) evaluation of the policy; f) finalization of the policy.

Other authors such as Hogwood and Gunn consider that the stages of the public policy process are the followings: 1) to decide to decide (identifying the problems or establishing the agenda); 2) to decide how to decide (or filtering the problems); defining the problems; 3) forecast; 5) establishing the objectives and priorities; 6) analyzing the options; 7) implementation, monitoring and control of the policy; 8) evaluation and revising; 9) maintaining, succession and finalizing the policy (Hogwood and Gunn, 1984). It is also important to mention the approach of Howlett and Ramesh. According to them each stage of the process refers to a principle of solving the problem. (Howlett M., Ramesh M. 1995).

Principles of problem solving

1. Problem recognition
2. Proposal of solutions
3. Choice of a solution
4. Application of the solution
5. Monitoring the results

Stages in the cycle of public
policy

1. Formulation of the agenda
2. Formulation of policy
3. Making a decision
4. Implementation of the policy
5. Evaluation of the applied policy

There are different approaches of the public policy cycle stages in the specialized literature of national level. Thus, in the study of Adrian Miroiu, which takes the approach of Howlett and Ramesh (1995), the public policy cycle contains five major stages shown in the following scheme (Miroiu A, 2001).

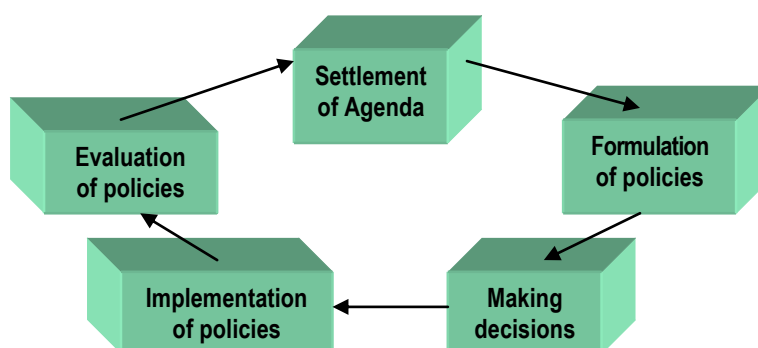


FIGURE NO. 1. THE PUBLIC POLICY CYCLE. THE SOURCE: MIROIU, A. (2001). INTRODUCTION TO PUBLIC POLICY ANALYSIS. RETRIEVED AUGUST 2006, FROM [HTTP://WWW.SPIDD.RO/CARTI/ANALIZA%20POLITICILORPUBLIC.PDF](http://www.spidd.ro/CARTI/ANALIZA%20POLITICILORPUBLIC.PDF)

He believes that cutting any policy process comes from the first works devoted to policy analysis. Generally, it is no longer accepted today, but it is not infrequently used in order to make the presentation of the political process more intuitive and easier.

The studies developed by other researchers in the field have shown that the public policy making process consists of six stages: 1. *Identifying the problem*; 2. *Placing on the political agenda*; 3. *Formulating the public policy framework*; 4. *Adopting the public policy*; 5. *Implementing the public policy*; 6. *Evaluating the public policy* (Popescu L, 2006).

According to Marius Profiroiu the public policy cycle is divided into three stages: elaboration, implementation and evaluation. The elaboration is divided into two sub-stages: the agenda setting and

the decision making process. The decision-making process gathers activities and actors around two phases: *the formulation and the legitimization*. (Profiroiu M, 2006).

According to the *Guide regarding the elaboration, the implementation and evaluation of the public policy at central level*, the process of public policy consists in a succession of specific activities.

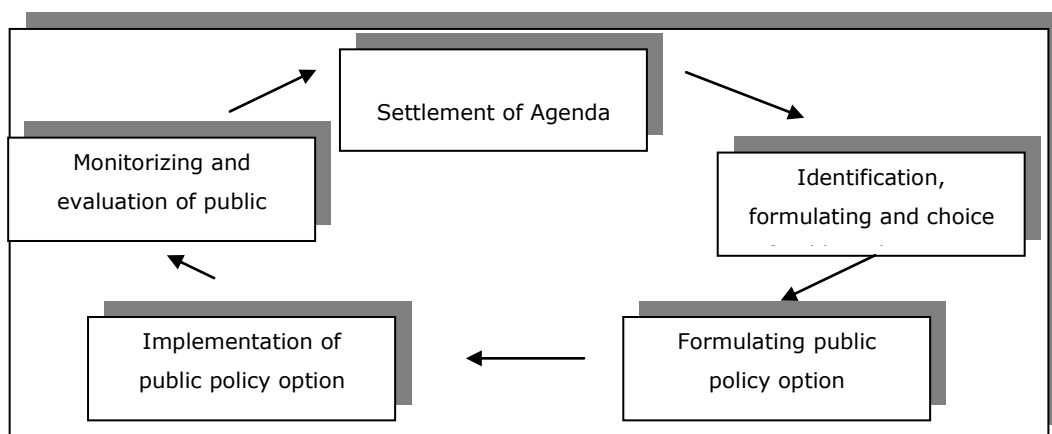


FIGURE NO. 2. THE PUBLIC POLICIES PROCESS. THE SOURCE: ROMANIAN GUIDE (2004). GUIDE REGARDING THE ELABORATION, THE IMPLEMENTATION AND EVALUATION OF THE PUBLIC POLICY AT CENTRAL LEVEL, BUCHAREST: THE UNIT OF PUBLIC POLICY, GENERAL SECRETARIAT OF THE GOVERNMENT

The finality of these activities is the elaboration of normative acts adopted in the Government meeting. The phases of this process are the followings: elaboration, implementation, evaluation. It is necessary to mention that a series of specific stages corresponds to each phase. The cycle of the public policy comprises the following stages: 1. *Establishing the agenda*; 2. *Identifying, formulating and choosing the option of the public policy*; 3. *Formulation of the option of public policy*; 4. *Implementation of the option of public policy*; 5. *Monitoring and evaluation of the public policy* (Romanian Guide, 2004; Păceșilă and Profiroiu, 2006).

According to the *Manual of Methods Used in Public Policy Planning and Impact Evaluation*, the public policy cycle contains four main stages: *the settlement of agenda, the formulation of policy, the decision making process and the implementation of policy*. Besides these, there are other important stages, as we can see from figure no 3.

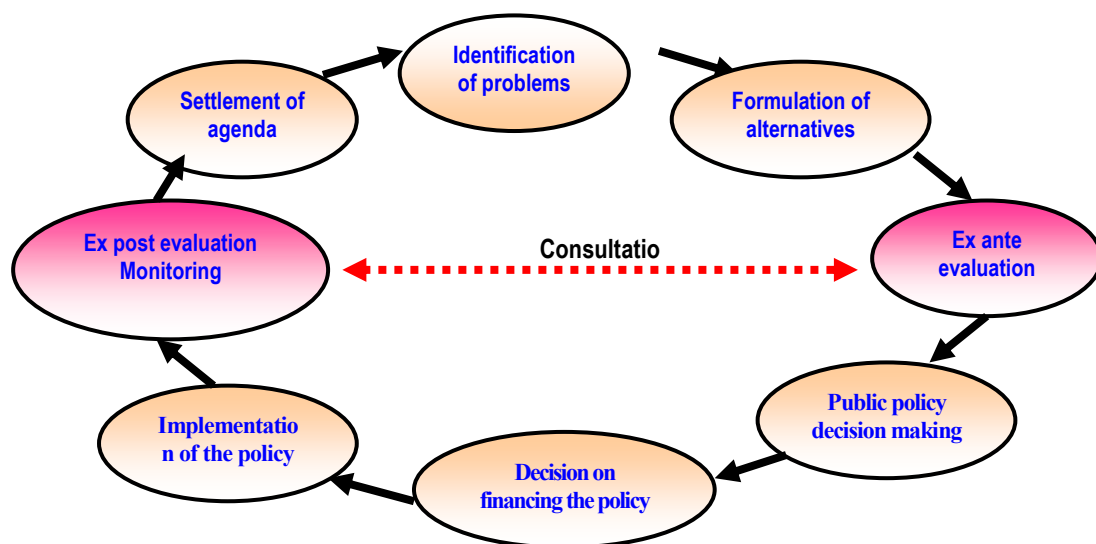


FIGURE NO 3. THE PUBLIC POLICY CYCLE. THE SOURCE: ROMANIAN MANUAL (2006). MANUAL OF METHODS USED IN PUBLIC POLICY PLANNING AND IMPACT EVALUATION, BUCHAREST: THE GENERAL SECRETARIAT OF THE GOVERNMENT.

2. THE PUBLIC PROCESS IN THE DEVELOPED COUNTRIES

2.1. Particularities of the public policy process in Spain

In Spain the public policy process contains various phases: the policy initiative phase, the development of the initial draft of the proposal, the negotiation with other ministries, and the approval of the Council of Ministers. Ministries are presented in one way or another in these phases. In the end, they are responsible for the monitoring and the evaluation of the public policy.

At the beginning, it is the leadership of the minister that decides which problems should get solved. The initial policy proposal may be elaborated by the minister, his/her cabinet or other ministry officials. Then, the development of the initial draft of public policy proposal becomes the responsibility of the secretary of state that has also to establish the stakeholders' objectives regarding this policy. After that, the definitive public policy proposal is negotiated with other ministries. After the proposal is approved by the Council of Minister, this will be presented to the Parliament. Ministry officials advise the parliamentary group that supports the government during the negotiation process. This happens only if additional parliamentary support is needed for the approval of the proposal.

In Spain ministries have an important role in the public policy process exercising functions.

The function of initiative

Generally, the problems which should get solved come from a government program. In fact, this is an executive summary of the electoral program. This one takes shape in a comprehensive document elaborated by the Centre of the Government in coordination with the ministries. Public opinion and international agreements represent other important sources of problems identification. After determining the problem, the presentation of the alternatives and the selection of an option depend on the compromises to the government program and the costs of the alternatives. After the *stakeholder negotiation* process, the problem takes shape in a normative proposal accompanied by an explicative memorandum as well as an economic memorandum. These documents are obligatory.

The function of negotiation

„The function of negotiation is exercised as much within the ministry as outside it. Within the ministry, inquiries are made among the various secretaries of state. /.../ Parallel to these negotiations/internal agreements, external negotiations are carried out. /.../ Through their official web pages, ministries are able to show citizens their proposals or reports on a particular issue”. (Lopez J. G. A, 2006).

The external negotiation is carried out with other ministries and with the Centre of the Government through the President's Office. Negotiation with other ministries occurs in two phases: in the first phase this negotiation is accomplished by request (The technical general secretary of the ministry answers to other ministries' observations on the proposal and explains, if necessary, why ministries' observations are not taken into account); the second phase is carried out through the General Commission of Secretaries of State and Undersecretaries. Generally, a policy proposal needs three weeks to be approved by the Commission.

The Commission functions as a Virtual Commission that is a computer application allowing ministries to comment on particular proposals. After the meeting, the Commission establishes two indexes: the red index and the green index. The former collects all proposals where no agreement has been reached (these problems can be postponed until the following meeting, abandoned or maintained). The latter is composed of those proposals approved by the Commission. After Commission's approval, the Council of Ministers approves the proposals without discussions. However the Council may reexamine a proposal and may even reject it.

„The economic aspects of all proposals are negotiated in an interministerial manner. The Economic Affairs Delegate Commission analyzes the impact and relevance of a proposal from the point of view of rationality and control of public expenditure. (Lopez J. G. A, 2006).

It is also important to mention that the degree of involvement of head of department has a significant impact on chances of success in the interministry negotiation. In this case, the importance of the ministry and its political weight is relevant to the authority of the ministry in achieving the objectives.

The function of support

The function of support refers to those activities that are difficult to classify. It is used in a series of activities, but the most important of them are the followings: *explanation of the policy proposal and recommendations during the parliamentary proceedings to examine the proposal* (Lopez J. G. A, 2006).

Monitoring and evaluation

There are many ministries that rely on statistical monitoring entities in Spain. However, the monitoring and evaluation function does not yet have a well-development. The two institutions which provide up-to-date socioeconomic data to officials responsible for policy-making are the followings: the National Statistics Institute and the Centre for Sociological Research. It is also important to mention that a Public Policies Quality Evaluation Agency, under the Ministry of Public Administration has been created by the government.

2.2. The general framework for public policy process at central level in Portugal

The three documents that establish the framework for public policies are the followings: *Government Programme; Major Options of National Plans; State Budget*.

"The Government Programme contains the general guidelines for public policies to be implemented and objectives to be reached during the government's mandate (four years). /.../ The Major Options of National Plans (GOP) — which define the objectives and main actions to be carried out in the medium term (five years), /.../ — constitute the principal strategic planning tool, articulating policies and human and financial resources in order to give coherence to the government's action and guiding economic and social investment in a sustainable way./.../ The State Budget (OE), which is annual, defines in detail the financial resources allocated to the various areas of the government, thereby establishing the budgetary boundaries for actions to be taken by the various ministers in developing the public policies for which they are responsible". (Nabais J., 2006).

The ministries responsible for the development of public policy (initiative, planning, drafting, negotiating, monitoring and evaluating) in the area of competence are obliged to take into account these instruments. They also have to ensure internal negotiations with other ministries and external negotiations with social partners or other stakeholders. *"Ministers are politically accountable to the*

Prime Minister, parliament and, of course, the citizens for activities within their competence". (Nabais J., 2006).

The Secretaries of State, namely their cabinets, and services of the ministries have the task of preparing the initial draft of public policy proposals. The Centre of the Government receives all information about the proposal from the Minister because it has to ensure the proposal submission for approval by the Council of Ministers. If necessary, the Centre of Government also prepares its submission to parliament.

After negotiations with other ministries and consultations with various stakeholders, the proposal is sent to the Centre of Government. It must be accompanied by an introductory memorandum which refers to the objectives, the proposed solution, the compatibility with the government program and European regulations, the financial and human resources currently available, the results of the consultation, and expected impact. According to the procedures, this proposal will be included on the agenda of the following meeting of secretaries of state and then on the Council of Ministers agenda, (Resolution 82/2005 of the Council of Ministers currently defines these procedures).

The comments of the ministries on the proposal are sent to the Centre of Government and to the Minister responsible for the proposal. The final reexamination of the proposal is carried out by the Centre of Government which conducts meetings with representatives of ministries. The next step is the preliminary evaluation of the proposal which is carried out during the secretary of state meeting. At the end the Council of Ministers takes a decision regarding the proposal. The role of the minister responsible for the development of public policy is very important, because this one must defend it and respond to the question. If the proposal needs to be approved by the Parliament, it is the minister that should talk to lawmakers.

Monitoring and evaluation of public policy

The ministers have special services in order to assure the activities of monitoring and evaluation of public policies. These services or units provide prospective and evaluation studies. The information obtained from these studies and statistics (for example the National Statistics Institute) or even from university research centers is being used by ministers in their activities. In order to carry out evaluations of specific public policies or programmes, ministers had signed contracts with private companies and evaluators (Profiroiu M, Profiroiu A, Păceșilă M., 2008).

2.3. The actual process of developing the public policy in Canada

The federal and provincial level of government plays an important role in the public policy process. The role played by the civil service in this process is also very important, because of the responsibility for designing the options that will come back to Cabinet. It is also important to mention the iterative nature of public policy making process between political actors on the one hand and the bureaucratic actors on the other hand. The cabinet is responsible for setting the agenda and for the identification of the public policy objectives. The civil servants are responsible for the development of options that will be sent back to Cabinet. After that the Cabinet establishes more specific public policy objectives. Generally, the process involves a constructive tension between the cabinet and the civil servants and necessitates compromise from both sides. We can speak of two or three iterations between the civil service and Cabinet before ministers accepting one or another policy option. The parliamentary committees are also involved in this process and they approve the public policy. (Marchildon G.P., 2001).

Monitoring and evaluation of the public policy

The monitoring and evaluation of public policy is well developed in this country. One can speak of a culture of evaluation and evaluation associations, for example Canadian Evaluation Society which has 1200 members. A series of essays and theoretical papers on evaluation are published here and scientific conferences are also organized. (Profiroiu M, Profiroiu A, Păceșilă M., 2008).

Instruments used in public policy process

In Canada the government has the possibility of fundamentally reexamining a public policy if this authority considers it necessary. There are a lot of instruments available to governing parties at the federal and provincial levels, which have different attributes. Each of them has its own advantages and disadvantages. The most important of these instruments are the followings:

- a. **The permanent external advisory bodies** are specialized organizations, independent from government. "Their reports are made public although generally targeted to those that have are directly affected by their recommendations. Traditionally, external advisory bodies have not held consultations with the general public although they are at least informally in touch with the organized stakeholders in the system. The strength of permanent advisory bodies is that they provide a very long-term stream of focused advice to governments. Their weakness is that interest in the body's work can decrease with time as the system adjusts to the general tenor of the advice and the novelty wears off". (Marchildon G.P., 2001).

- b. **Departmental or ministerial task forces** are "temporary external advisory bodies appointed by the minister of a department or, in some cases, the first minister on behalf of the minister of the affected department. At least four recent provincial health "commissions" – the Sinclair Commission in Ontario⁸, the Clair Commission in Quebec, the Fyke Commission in Saskatchewan, and the Mazankowski Task Force in Alberta – are all Ministerial task forces". (Marchildon G.P., 2001).
- c. **The Royal Commissions** are "either policy commissions or investigative commissions of inquiry. The former are mandated to research and develop policy options with public input on wide-ranging issues while the latter are judicial inquiries generally set up to investigate individual or institutional misconduct". (Marchildon G.P., 2001).

3.THE REGULATORY, INSTITUTIONAL AND METHODOLOGICAL FRAMEWORK FOR DEVELOPING THE PUBLIC POLICY PROCESS IN ROMANIA

In Romania like in the other democratic countries it is very important to understand the central role of the administration (at local, national level) in the elaboration of policies. Also, it is important to understand the fact that the role of the public authorities in participating to this process is not the one to solve all alone, on the contrary, the citizens should involve too in the process of making the decisions.

The main institutions involved in the public policy process at central level are the following:

- The Parliament - the legislative forum;
- The Legislative Council - is a specific structure that coordinates and updates the official Romanian law;
- The Office of the Prime Minister;
- The General Secretariat of the Government (SGG) - is a structure of government which ensures the development of technical operations in the governance and settles the organizational, legal, economic and technical matters of government activity
- The Central Unit for Public Administration Reform – the Ministry of Interior and Administration;
- The Government Council for Public Administration Reform – monitorises the evolution of the reform process in public administration.
- The Ministerial Councils - advisory bodies without legal personality and the Strategic Planning Council.

These institutions operate under specific acts which also contains information about the public policy process in Romania (Profiroiu M., 2006).

In Romania the ministries are responsible for the development of public policy in the area of competence. Public policy problems are identified using the following sources of information: the government sectoral strategies; the general and sectoral strategies of public administration; problems arising from government program and having an economic, social and environmental impact.

The public policies proposals have a specific format and procedure defined by Government Decision no. 775 from August 2005. This procedure allows the Directorate of Public Policy from the General Secretariat of the Government to promote the development of public policy proposals for all the aspects of public policy and to require a correlation between them and the normative acts. In these circumstances, if the normative acts are based on public policy proposals, this will lead, in time, to a better elaboration of legal norms. The identification of the public policy solutions is made by specialized directions in the institution (minister) that had initiated the public policy. These directions are coordinated by the Public Policy Units in the ministries. This activity implies the consultation of NGOs, social partners, professional associations and representatives of the private sector, involved, affected or interested in how the matter is solved.

The solutions analysis consists in studies and researches that provide information about the following aspects: the problem solving, the presentation of the solutions, the budget estimates for each solution, the impact estimated for each solution identified, the assessment criteria of solutions, the choice of the solution recommended for implementation, the action plan for the recommended option. The result of this activity is called public policy proposal. This proposal is elaborated by the specialized directions under the coordination of the Public Policy Units in the ministries and other bodies of public administration. This proposal presents the results of studies and tests, the results of the consultation of civil society and also an action plan for implementing the recommended solution.

This procedure defined by Government Decision no. 775 does not include the strategies and programs for high-level, which are managed outside the public policy area. The Government Decision emphasizes that these documents represent the key sources of policy proposals. Law no. 90/2001 on the organization and functioning of Romania's Government and ministries defines the powers of government "to approve strategies and programs for economic development of the country, in each branch and area of activity", but the strategies and programs are not part of the usual public policies making process.

A fundamental change has been introduced by Government Decision no. 1361 of 2006 referring to the fact that the central public administrations authorities are required to present a detailed description of all draft normative acts having an impact, according to the structure form of the Annex decision. This decision entered into force in 2007.

The need to do a better analysis of drafts normative acts and of public policy documents had determined the adoption of the Government Decision no. 1226 of 2007. This decision was repealed by Government Decision no 561 of 2009, with the same title and with a similar content. The aim of the new legislation was "to improve the procedure for elaborating and approving/adopting the normative acts and the public policy documents."

In terms of content, the new regulation establishes the definitions and the structure of the public policies documents, normative acts and other documents approved/adopted in the Government meeting. It also establishes the procedure of organizing consultations with ministries, public institutions and other partners about the draft documents mentioned, the procedure for the approval of documents. On long term, the Regulation aims to increase the coherence of government policies, to establish a stable framework for the elaboration of public policies and drafts normative acts, to emphasize the involvement of civil society in the activities promoted by the Executive and to contribute to increasing the professionalism in elaborating the public policies documents and drafts normative acts.

According to the new legislation, the presentation and motivation instrument is subject to mandatory consultations and the ministries could express their point of view, depending on their field of competence. The initiator has also the obligation to establish a meeting of inter-institutional consultation in order to harmonize divergent views about the drafts normative acts. According to this decision, in exceptional cases, any member of the Government has the possibility to demand the introduction on the agenda for the government meeting of issues which require the urgent intervention from government.

After the adoption of legislative acts on the government meeting, the General Secretariat of the Government must accomplish the following tasks:

- a) *To finalize the legislative act adopted;*
- b) *To send the legislative act adopted to the Prime Minister in order to put his signature and to the ministers who are responsible for execution. The ministers must countersign this legislative act;*

- c) To send the bills to the Chamber of Deputies, Senate or Presidential Administration, accompanied by their explanatory statements and their decisions submitted for adoption, signed by Prime Minister;
- d) To send the government decisions and ordinances to the Secretary General of the Chamber of Deputies, accompanied, where appropriate, by presentation and motivation statement, signed by the minister;
- e) To send the ordinance and government emergency ordinance to the Chamber of Deputies, Senate or Presidential Administration, accompanied by the explanatory statement of bills for their approval and by the adoption decision, signed by Prime Minister. (Government Decision Romania no 561, 2009).

4.THEORETICAL AND PRACTICAL ASPECTS OF THE EXPERIENCE OF THREE COUNTRIES IN THE FIELD OF PUBLIC POLICY PROCESS THAT CAN BE TAKEN AND IMPLEMENTED IN ROMANIA

The stages of the public policies process (elaboration, drafting proposals, consultation, implementation, monitoring and evaluation) are directly related to the essence of the policy itself and to the responsibility of the individual minister in a specific area of activity rather than to Government's collective responsibility. This is the logical division of responsibility between ministers as individual members of government (supported by the ministries to which they belong) and Government (supported by the General Secretariat of the Government).

Depending on the area of competence, the ministry has (or should have) an advantage for performing its duties because it is responsible for developing and maintaining:

- The contacts with the citizens significantly affected by policies and laws implemented by the Ministry;
- Specialized knowledge in the particular field of activity;
- The knowledge of policies and legislation, including their weaknesses (such as disappointment of the beneficiaries);
- The knowledge needs and difficulties of implementation and entry into force.

The public policy making process is not a theoretical science or a mechanical process, even if it uses certain scientific instruments and formal procedures in order to analyze problems and evaluate solutions. Fundamentally, the policy making evolves in an interactive process conducted by the ministry

experts and the social actors whose actions they regulate. The ministry should maintain constant contact with individuals and groups within its area of jurisdiction and should listen and learn from experience in order to be better able to develop policies and legislative acts.

Taking into account the specific elements of the three countries regarding the public policy process, we consider that *certain specific aspects should be used in the Romanian public policy process* in order to improve the situation of our country and to better meet citizens' needs and problems.

The preparation of public policy proposal

The public policy making process typically includes the following steps:

- the identification of policy issues which must be corrected or improved;
- the set of objectives (both quantitative and qualitative) that will be achieved through the policy;
- the preparation of options that will allow the achievement of the proposed objectives;
- the evaluation of the impact of these options;
- inter-ministerial consultations in order to identify the significant issues related to several ministries;
- the consultation with civil society;
- recommendations made to the Minister regarding the preferred option.

Policy development can be a complex task, often requiring the skills of a multidisciplinary team, including economists, sociologists, specialists in the field (for example agriculture, education), financial specialists and lawyers. If the administration has no internal resources, it may ask for external assistance or may seek assistance from international organizations.

Essentially, all tasks of this phase are carried out by the Ministry that initiates the policy (only if the preparation is not attributed to an external body, but this is an exception). The preparation of policy proposals is the central role of ministries in the public policy system. The ministries are the only bodies from central government that have detailed knowledge and practical experience regarding issues that require government intervention. In some cases, the Government may establish special bodies or interministerial working groups, but even then its role is crucial, as it leads the working group.

Ministry's expert staff must ensure that the ministry and the Government receive the best information because they take decisions that may affect the society and the economy. In fact, all techniques of analysis and policy making require higher quality information. If a new policy is developed, the preparation of policy proposals requires a detailed analysis and consultation with representatives and a special emphasis on funding requirements and practical implementation (including staff and institutions).

In Romania, *abilities and skills for public policy making are not well developed in the ministries*. The lack of tradition in public policy making process had a negative impact in the drafting of normative legal acts. The latter have been drawn up directly by the ministries, without achieving pertinent analysis. Moreover, the public policy-making process depends on the political process and the number of public policy change and developments is often very small during the electoral period. The result is a legislation without fundamentation, that is costly or difficult to implement, and requiring several amendments. It is certain that ministries require significant training in this area, and ministers must become convinced of the value of public policy analysis.

This aspect is particularly important because policy development is in charge of all ministry departments. Thus, the training in policy analysis methods must be applied to all in order to obtain results. Fortunately, such modules and courses already exist. *A good example is Spain*, where every initiative is negotiated with other stakeholders. During the public policy making process, various projects are used and modified in accordance with the different actors involved in the process. In this country, the law must contain a memorandum on the possible effects on gender equality. Projects dealing with environment must contain a report regarding the impact on the environment.

In our country, little attention is paid to *civil society consultation in developing a public policy and the process is more formal than real*. In recent years, institutional and non-institutional formulas of social dialogue and public consultation have been developed. Pieces of legislation and institutional framework governing public consultation practice have emerged since 2001. These elements have been developed in the context of governance and public administration reform, as well as in the context of specific developments in the area of civil society. Therefore, the interest in promoting citizens participation in public policy decisions represents a relatively new interest for the government. The development of this interest takes place in the context of the crisis of political institutions and the weakening of the state's capacity to solve all the society problems.

In order to facilitate the consultation of citizens, *the use of Internet* is very important. The internet may be a good assistant for external consultations. The interest groups and outside specialists play an active role in these consultations. The ministries post their proposals on the website and citizens can formulate and express ideas and opinions. This system allows ministers to know citizens suggestions and to take them into account in developing the public policy proposal. Nowadays in Romania there are public policy proposals that are posted on the websites of ministries, without allowing the formulation of suggestions from civil society. Another problem is that the ministries often do not maintain those sites.

The Parliamentary process and the approval

This step is required for certain legislative acts and not for all. The procedures for approval of legislation in Parliament are usually established by the Constitution and / or by Parliament. Regarding the government legislation, the General Secretariat of Government is responsible to ensure that government interests are represented. In this phase, the ministries must be prepared to explain and defend the legislative proposals in parliamentary debates and parliamentary committees that review them. In most cases, the minister himself must appear in Parliament. He will surely need support from legal experts and policy experts in case of complications. If substantial amendments are proposed by the Parliament, the ministry must be prepared to analyze and evaluate them and develop an appropriate response (acceptance, rejection or compromise) that has to be justified.

In this phase, Romania may take the example of Spain. In this country there are advisers in the Cabinet Office Minister, responsible for preparing responses to the questions presented by the members of Parliament and for organizing hearing ministers in Parliament.

Monitoring and evaluation of public policies

There are two types of monitoring and evaluation. The first is formal and involves monitoring the performance of ministries within the deadlines set by Government Decisions. The developed countries have a system (usually computerized) for monitoring government decisions and for monitoring tasks assigned to the ministries. The second type involves evaluating the effectiveness of policies and legislation in order to achieve the proposed objectives. This evaluation may take place only at a certain time after implementation, more than a year or two. The methods and techniques for using such an ex-post evaluation are very similar to those used for the ex-ante evaluation.

In Romania, *the monitoring and evaluation system is weak and there is no evaluation culture* as in Canada, for example. Ministries and other central public authorities have a crucial role in the monitoring and evaluation process. These are the main entities that can provide the necessary information in the monitoring process, while being the main beneficiaries of monitoring and evaluation activities. This activity is rarely performed in our country and not in a rigorous and consistent way. In many cases, an informal evaluation is carried out, because those who implement policies can not avoid forming an opinion on the effectiveness of policies. Because this informal evaluation is done ad hoc, it can not support the necessary connection between the existing policy and the need for change and reform. Also, we cannot speak of the development of a systematic process within the ministries. The General Secretariat of the Government mostly develops specific procedures and verifies their compliance. Once

this has been done and ministries have accepted the responsibility to regularly engage in evaluation, they can be directed towards obtaining specific expertise in policy evaluation.

Because of existing the legalistic tradition in Romanian public administration – oriented toward excessively using the legislative acts, the strict adherence to procedures, spending resources and administrative control – the development of a monitoring and evaluation culture based on performance, transparency, efficiency and effectiveness in relation to public policies has proven to be a difficult challenge. The monitoring and evaluation process is difficult to be internalized because the Romanian public administration is still making confusion between monitoring the legislative acts and public policies.

This confusion is due to the fact that institutions are accustomed to resort to legislative acts detrimental to policies, preferring an approach based on public policy documents. Usually, in Romania, monitoring and evaluation activity has been understood as an obligation assumed in relation to programs financed by the European Union (PHARE, ISPA, SAPARD, etc.) or other international financial institutions (OECD, World Bank). In most cases we can speak of monitoring required as a condition for achieving the objectives and actions of the international finance programs. As a result, most ministries can provide examples of good practice in monitoring and evaluation of European programs, but they can not provide information about different kinds of activities financed by public funds.

In this connection, a partial delimitation between monitoring and evaluation process of European programs and monitoring and evaluation process of public policies at the national level should be made. Monitoring and evaluation of European programs may serve as a model for the process of monitoring and evaluation at the national level. Monitoring and evaluation of national programs requires additional effort in order to measure performance and obtain the necessary information, assuming a higher degree of complexity.

Performance measurement of government action embodied in public policy is done through policy analysis results. In the current context of Romania, taking into account the difficulties of communication and institutional coordination, each institution has tended to follow only the direct result of its own involvement (output) and how it contributes to the result of the policy (outcome).

With very few exceptions, we can say that there are no plans or monitoring and inter-institutional evaluation activities of public policies. Poor communication between institutions makes it hard to collect information and develop monitoring and evaluation programs involving several players. There are many programs coordinated by several institutions that can influence the different results that the target groups should benefit. The evaluation of the results must take into account the information provided by

each of the institutions involved. Separate evaluation of these programs leads to the distortion of information.

Taking into account the issues presented, we consider that Romania should draw on the Canadian evaluation system, supporting and promoting the emergence of professional associations of evaluators, conducting symposiums and conferences on evaluation of public policies. Placing greater reliance on government action, promoting an efficient management of public policies and the orientation process for achieving results and effective use of limited resources are needed to get the desired results in the public policy process. In these circumstances, our country must take evidence from countries with experience in this area both on the European continent and on the U.S.A. For example, establishing an *Agency for Quality Assessment of Public Policy* is a welcome action, because the society in which we live is changing very quickly because of globalization, technological progress and, in those circumstances, ministries have to face the increasingly higher challenges in quality assurance.

Such an agency operates in Spain and Portugal, subordinated to the Ministry of Public Administration. It ensures cooperation with other state governments but it works very well with the autonomous communities in order to eliminate the problems and difficulties that arise in national and local public policy making process. In order to ensure the predictability of government actions, the evaluation of the quality of public policies should not be made by the State. It should be carried out by independent and accredited entities that could perform this transparent activity. The state must invest in qualitative public policies, but the evaluation of these policies should not be carried out by its entities. Consequently, this agency must have financial and political independence and establish mechanisms for cooperation with the Public Policy Units within ministries responsible for developing public policy proposals. The internet forums, the reactions of media, the users' comments and other ways, such as meetings and seminars in Portugal, are different ways of monitoring and evaluating public policies (even if those tools are not as consistent as scientific approaches), which can be used in our country.

The reexamination of the public policy

Another important aspect that the public policy process in our country does not give high importance is the necessity to re-examine a public policy. Currently, the government of our country does not have the necessary instruments that could be used to initiate a change of policy if it considers that a public policy needs a fundamental reexamination because of dissatisfaction manifested by central administration or by citizens. In order to remedy this situation, our country can follow the example of Canada, where a lot of instruments are available to governing parties. The best known of these instruments used in the

reexamination of a public policy are *the permanent external advisory bodies, departmental or ministerial task forces, the Royal Commissions*.

However, our country's government should be quite careful regarding the creation of these tools that could be used in the reexamination of public policy. In terms of independence and time, they could provide valuable support for the government, especially when it requires a temporary deviation (but not necessarily short) of the normal life cycle of public policy. However, in some cases their use could be extremely costly for the Romanian state, whose resources can not be compared with that of Canada.

ACKNOWLEDGMENT

The research was conducted under phase V of the project 91-035 "Quantitative and qualitative analysis of public administration reform impact on the EU integration process from the perspective of decreasing inequalities in economic regional development", funded through National Priority Programs (NP II).

REFERENCES

- Brewer, G.D. (1974). *The Policy Science Emerge: To Nurture and Structure a Discipline*, Policy Sciences, 5, pp. 239 – 244.
- General Secretariat of the Romanian Government (2006). *Manual of Methods Used in Public Policy Planning and Impact Evaluation*. Project PHARE RO 2003/IB/OT/10 strengthening the Romanian Government's Capacity for policy management and coordination and for decision-making. Retrieved November 15, 2007, from http://www.sgg.ro/docs/File/UPP/doc/manual_metode_impact.pdf.
- Hogwood, B.W. and Gunn, L.A. (1984). *Policy Analysis for the Real World*, Oxford: University Press.
- Howlett, M. and Ramesh, M. (1995). *Studying Public Policy: Policy Cycles and Policy Subsystems*, Oxford: Oxford University Press.
- Government Decision Romania (2005). *The Regulation regarding the procedures for designing, implementation and evaluation of public policy at central level* (no 775 of 2005. Official Gazette no 685 of 29.07.2005). Bucharest: The Romanian Government.
- Government Decision Romania (2006). *The presentation and motivation instrument content of the draft normative documents for the approval of the Government* (no 1361 of 2006. Official Gazette no 843 of 12.10.2006). Bucharest: The Romanian Government.
- Government Decision Romania (2009) *The approval of the Regulation concerning the procedures, at the Government, for the elaboration, presentation and approval of drafts public policies documents, drafts normative acts and other documents for adoption/approval* (no 561 of 2009. Official Gazette no 319 of 14.05. 2009). Bucharest: The Romanian Government.

- Guide Romania (2004). *Guide regarding the elaboration, the implementation and evaluation of the public policy at central level*. Bucharest: the Unit of Public Policy, General Secretariat of the Government.
- Lopez J.G.A. (2006). *The role of ministries in the public policy cycle in Spain*. SIGMA: Support for Improvement in Governance and Management. A joint initiative of the OECD and the European Union, principally financed by the EU. Retrieved August 2007, from <http://www.oecd.org/dataoecd/59/3/35935999.pdf>.
- Law Romania (2001). *Organization and functioning of Romania's Government and ministries* (no 90 of 2001. Official Gazette no 164 of 2.04.2001). Bucharest: The Romanian Parliament.
- Manual Romania (2006). *Manual of Methods Used in Public Policy Planning and Impact Evaluation*. Bucharest: The General Secretariat of the Government.
- Marchildon G.P. (2001). *Royal Commissions and the Policy Cycle in Canada: The Case of Health Care*. Saskatchewan Institute of Public Policy. Retrieved September 2007, from <http://www.uregina.ca/sipp/documents/pdf/ssgm.pdf>.
- Miroiu, A. (2001). *Introduction to public policy analysis*. Retrieved August 2006, from <http://www.spidd.ro/carti/analiza%20politicilorpublice.pdf>.
- Nabais J. (2006). *The role of ministries in the public policy cycle in Portugal*. SIGMA: Support for Improvement in Governance and Management. A joint initiative of the OECD and the European Union, principally financed by the EU. Retrieved August 2007, from <http://www.oecd.org/dataoecd/59/52/35935851.pdf>
- Păceșilă, M. (2008). Theories and models concerning the public policies cycle at national and international level. *Theoretical and empirical researches in urban management*, no. 6, pp. 17-30.
- Păceșilă, M. and Profiroiu, A. (2006). Recent evolutions concerning the study of public policy. *Management and Public Administration Review*, no. 7, pp. 56-63.
- Popescu, L. G. (2006). *Administration and public policy*, Bucharest: Economică Publishing House.
- Profiroiu, M. (2006). *Public policies. Theory, analysis, practice*, Bucharest: Economică Publishing House.
- Profiroiu, M., Profiroiu, A. and Păceșilă, M. (2008). *Comparative study of the experience of developed countries in the public policy making, implementation, monitoring and evaluation process*. Bucharest: Academy of Economic Studies Publishing House.